

**PROFESSIONAL LICENSURE DIVISION[645]**

**Adopted and Filed**

**Rule making related to licensure and continuing education**

The Board of Cosmetology Arts and Sciences hereby amends Chapter 60, “Licensure of Cosmetologists, Electrologists, Estheticians, Manicurists, Nail Technologists, and Instructors of Cosmetology Arts and Sciences,” and Chapter 64, “Continuing Education for Cosmetology Arts and Sciences,” Iowa Administrative Code.

*Legal Authority for Rule Making*

This rule making is adopted under the authority provided in Iowa Code sections 147.76, 157.14 and 272C.16.

*State or Federal Law Implemented*

This rule making implements, in whole or in part, Iowa Code chapters 147 and 157 and section 272C.16.

*Purpose and Summary*

This rule making changes the process of applying for endorsement by requiring an applicant to provide verification of licensure only from the jurisdiction in which the applicant most recently held a license and disclose public or pending complaints in any other jurisdiction. These amendments remove the name and website of the examination administrator and update the definition of “independent study” by removing the requirement for a posttest.

*Public Comment and Changes to Rule Making*

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on November 16, 2022, as **ARC 6662C**. A public hearing was held on December 7, 2022, at 8:30 a.m. in the Fifth Floor Conference Room 526, Lucas State Office Building, Des Moines, Iowa. No one attended the public hearing. No public comments were received. No changes from the Notice have been made.

*Adoption of Rule Making*

This rule making was adopted by the Board on February 20, 2023.

*Fiscal Impact*

This rule making has no fiscal impact to the State of Iowa.

*Jobs Impact*

After analysis and review of this rule making, no impact on jobs has been found.

*Waivers*

A waiver provision is not included in this rule making because all administrative rules of the professional licensure boards in the Professional Licensure Division are subject to the waiver provisions accorded under 645—Chapter 18.

*Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or

group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

*Effective Date*

This rule making will become effective on April 26, 2023.

The following rule-making actions are adopted:

ITEM 1. Amend subparagraph **60.2(1)“f”(1)** as follows:

(1) The applicant shall submit the test registration fee directly to the test service ~~PSI at [www.psiexams.com](http://www.psiexams.com)~~. NIC examinations are administered according to guidelines set forth by the National-Interstate Council of State Boards of Cosmetology.

ITEM 2. Amend subrule 60.7(2), introductory paragraph, as follows:

**60.7(2)** Applicants shall provide verification of ~~license(s)~~ license in a cosmetology practice discipline from ~~every the jurisdiction in which the applicant has~~ most recently been licensed, sent directly from the ~~jurisdiction(s) jurisdiction~~ to the board office. The applicant must also disclose any public or pending complaints against the applicant in any other jurisdiction. Web-based verification may be substituted for verification from a jurisdiction's board office if the verification includes:

ITEM 3. Amend subrule 60.17(3) as follows:

**60.17(3)** Provide verification of current competence to practice cosmetology arts and sciences by satisfying one of the following criteria:

a. If the license has been on inactive status for five years or less, an applicant must provide the following:

(1) Verification of the ~~license(s) license~~ from ~~every the jurisdiction in which the applicant is or has been licensed and is or has~~ most recently been practicing during the time period the Iowa license was inactive, sent directly from the ~~jurisdiction(s) jurisdiction~~ to the board office. The applicant must also disclose any public or pending complaints against the applicant in any other jurisdiction. Web-based verification may be substituted for verification from a jurisdiction's board office if the verification includes:

1. to 4. No change.

(2) Verification of completion of 6 hours of continuing education that meet the continuing education standards defined in rule 645—64.3(157,272C) within two years of application for reactivation; or verification of active practice, consisting of a minimum of 2,080 hours, in another state or jurisdiction during the two years preceding an application for reactivation.

b. If the license has been on inactive status for more than five years, an applicant must provide the following:

(1) Verification of the ~~license(s) license~~ from ~~every the jurisdiction in which the applicant is or has been licensed and is or has~~ most recently been practicing during the time period the Iowa license was inactive, sent directly from the ~~jurisdiction(s) jurisdiction~~ to the board office. The applicant must also disclose any public or pending complaints against the applicant in any other jurisdiction. Web-based verification may be substituted for verification from a jurisdiction's board office if the verification includes:

1. to 4. No change.

(2) Verification of completion of 12 hours of continuing education that meet the continuing education standards defined in rule 645—64.3(157,272C) within two years of application for reactivation; or verification of active practice, consisting of a minimum of 2,080 hours, in another state or jurisdiction during the two years preceding an application for reactivation.

~~(3) Rescinded IAB 11/21/07, effective 1/1/08.~~

ITEM 4. Adopt the following **new** subrule 60.17(5):

**60.17(5)** Submit a sworn statement of previous cosmetology arts and sciences practice from an employer or professional associate, detailing places and dates of employment and verifying that the applicant has practiced cosmetology arts and sciences at least 2,080 hours or taught as the equivalent of a full-time faculty member for at least one of the immediately preceding years during the last two-year time period. Sole proprietors may submit the sworn statement on their own behalf.

ITEM 5. Amend rule ~~645~~**64.1(157)**, definition of “Independent study,” as follows:

*“Independent study”* means a subject/program/activity that a person pursues autonomously that meets standards for approval criteria in the rules ~~and includes a posttest.~~

[Filed 2/21/23, effective 4/26/23]

[Published 3/22/23]

EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 3/22/23.